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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>10 January 2006</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>43-77</u> is/are pending in the application.

    4a) Of the above claim(s) <u>70-77</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>43-69</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>10 January 2006</u> is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/21/2006, 01/04/2007</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

1

2   **DETAILED ACTION**

3

4   *Election/Restrictions*

5   Restriction to one of the following inventions is required under 35 U.S.C. 121:

6   I.   Claims 43-69, drawn to an authentication scheme to inhibit sending of

7   unsolicited emails via a data transmission network, classified in class 709,

8   subclass 206.

9   II.   Claims 70-66, drawn to providing an email service to a user not having

10   prearranged access at a bandwidth, classified in class 709, subclass 206.

11

12   As to these inventions, they lack unity of invention for the reasons given in the

13 International Search Report prepared for the international stage of this application filed

14 under 35 U.S.C. 371.

15   **Applicant is advised that the reply to this requirement to be complete must**

16 **include (i) an election of a invention to be examined** even though the requirement

17 may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing**

18 **the elected invention**.

19   The election of an invention may be made with or without traverse. To reserve a

20 right to petition, the election must be made with traverse. If the reply does not distinctly

21 and specifically point out supposed errors in the restriction requirement, the election

22 shall be treated as an election without traverse. Traversal must be presented at the time

1   of election in order to be considered timely. Failure to timely traverse the requirement

2   will result in the loss of right to petition under 37 CFR 1.144. If claims are added after

3   the election, applicant must indicate which of these claims are readable on the elected

4   invention.

5   If claims are added after the election, applicant must indicate which of these

6   claims are readable upon the elected invention.

7   Should applicant traverse on the ground that the inventions are not patentably

8   distinct, the applicant should submit evidence or identify such evidence now of record

9   showing the inventions to be obvious variants or clearly admit on the record that this is

10   the case. In either instance, if the examiner finds one of the inventions unpatentable

11   over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.

12   103(a) of the other invention.

13   During a telephone conversation with Larry Nixon, Reg. No. 25,640 on April 14,

14   2009 a provisional election was made without traverse to prosecute the invention of

15   Group I, claims 43069. Affirmation of this election must be made by applicant in

16   replying to this Office action. Claims 70-66 are withdrawn from further consideration by

17   the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

18

19

20   ***Information Disclosure Statement***

21
22   Regarding the IDS filed on April 21, 2006, it has been considered in part. As to

23   the citation of the international search report in the "Other Documents" section, the

citation is ambiguous. It does not identify the international application serial number for

which the search was made nor does it identify the number of pages of the search

report that were submitted.

Regarding the IDS filed on January 4, 2007, it has been considered in part. As to

the citation of the U.K. search report, the citation does not identify the application serial

number nor does it identify the number of pages of the search report that were

submitted.

Specification

The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction

of the following is required: The specification does not provide antecedent basis for the

carrier medium in claims 68-69 and 77.

Drawings

Figure 1 is objected to under 37 CFR 1.84(o) because it lacks suitable

descriptive legends.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show

every feature of the invention specified in the claims. Therefore, the structure

corresponding to the various "means" of terminal claims 53-56 must be shown or the

feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in

reply to the Office action to avoid abandonment of the application. Any amended

1   replacement drawing sheet should include all of the figures appearing on the immediate

2   prior version of the sheet, even if only one figure is being amended. The figure or figure

3   number of an amended drawing should not be labeled as "amended." If a drawing figure

4   is to be canceled, the appropriate figure must be removed from the replacement sheet,

5   and where necessary, the remaining figures must be renumbered and appropriate

6   changes made to the brief description of the several views of the drawings for

7   consistency. Additional replacement sheets may be necessary to show the renumbering

8   of the remaining figures. Each drawing sheet submitted after the filing date of an

9   application must be labeled in the top margin as either "Replacement Sheet" or "New

10   Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

11   the applicant will be notified and informed of any required corrective action in the next

12   Office action. The objection to the drawings will not be held in abeyance.

13

14   **Claim Rejection – 35 USC 101**

15   Claim 43-52 and 67 are rejected under 35 U.S.C 101, because the claimed

16   invention is directed to non-statutory subject matter. As to claims 43-49, the claims are

17   directed to a "scheme," and, into which of the four statutory classes a "scheme" would

18   fall. It may be that the applicants intended to claim a machine. However, the applicants

19   have not claimed any hardware that would make up a physical device. Only if at least

20   one of the claim elements of the system is a physical part of a device can the system as

21   claimed constitute part of a device or a combination of devices to be a machine within

22   the meaning of 101. As to claims 50-52, they are directed to a data structure composed

1   solely of non functional descriptive material (i.e., data) and because it is not stored on

2   same sort of computer readable medium. As to claim 67, it is directed to a signal, and

3   signals do not fall into one of the four categories of statutory subject matter.

4

5
6   **Claim Rejection – 35 USC 112**
7
8   The following is a quotation of the second paragraph of 35 U.S.C 112
9
10   The specification shall conclude with one or more claims particularly pointing out and
11   distinctly claiming the subject matter, which the applicant regards as his invention.
12
13
14   Claims 43, 49, and 53 rejected under 35 U.S.C. 112, second paragraph, as being

15   indefinite for failing to particularly point out and distinctly claim the subject matter which

16   applicant regards as the invention. Claim 43 recites, "the intended recipient" in the first

17   limitation, and "an intended recipient" in the second limitation, in which for the first one

18   there is insufficient antecedent basis for this term in the claim, and the second term, "an

19   intended recipient" actually should be used in place of the first one, "the intended

20   recipient" and vise versa. Claim 49, in the preamble, recites "an electronic frank as

21   claimed in claim 48." The preamble should say, "a scheme" rather than an electronic

22   frank. Claim 53 is indefinite because it refers to a cancelled claim.

23

24   The following is a quotation of the first paragraph of 35 U.S.C. 112:

25   The specification shall contain a written description of the invention, and of the manner and process of
26   making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
27   art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
28   set forth the best mode contemplated by the inventor of carrying out his invention.
29

Claims 57-62 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. As to claim 57, it is a single means claim. Although claim 57 does refer to claim 43, claim 43 does not include any structure and merely recites functional limitations. Claim 57 is therefore subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. See MPEP 2164.08(a). As to claims 58-62, they depend on claim 57 but do not add any structural limitations that would cure the defect of their parent claim being a single means claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1   Claims 43-51, 53-57, 59-65 and 67-69 are rejected under 35 U.S.C 103(a) as

2   being unpatentable over "Knock-Knock" – A Modest Proposal for Client Side SPAM

3   Suppression in view of Technical Forum [IBM Systems Journal Vol 41, No 4, 2002].

4

5   Regarding claim 43, the Knock-Knock reference teaches:

6   a user (owner of the ID or the receiver) issuing an electronic frank (Knock-

7   Knock ID) to senders of data (person who is not yet in the receiver's address

8   book) for which the user is the intended recipient (owner of the ID or the receiver)

9   [Page 3 of 5, second bullet]

10   associating the electronic frank (Knock-Knock ID) in use with data (email)

11   to be transmitted over a telecommunications network to an intended recipient

12   and at a destination address [Page 3 of 5, second bullet].

13   validating the electronic frank using information contained by the

14   electronic frank which is arranged to be authenticated [Page 3 of 5, second

15   bullet, last 2 lines].

16   Although the Knock-Knock reference talks generally about validating and

17   processing an electronic frank, it does not explicitly describe a system for processing an

18   electronic frank to confirm if the frank meets at least one predetermined delivery criteria,

19   the electronic frank being thus validated prior to the data being transmitted to the

20   destination address, wherein the intended recipient determines said at least one

21   predetermined delivery criteria for data to be transmitted to the intended recipient.

1   The Technical Forum reference is more clear about processing an electronic

2   frank to confirm if the frank meets at least one predetermined delivery criteria the

3   electronic frank being thus validated prior to the data being transmitted to the

4   destination address wherein the intended recipient determines said at least one

5   predetermined delivery criteria for data to be transmitted to the intended recipient. The

6   Technical Forum reference teaches processing an electronic frank to confirm if the frank

7   meets at least one predetermined delivery criteria [Page 762, right column, "interrupt

8   tokens", line 7-21:, e.g., ten digit interrupt token. Note: it talks about interrupt token for

9   email on page 764, "The e-mail version"] the electronic frank being thus validated prior

10   to the data being transmitted to the destination address [Page 764, "The e-mail version"

11   and Page 762, right column, last 7 lines] and wherein the intended recipient determines

12   said at least one predetermined delivery criteria [The recipient creates and provides the

13   token to the sender, according to page 762, left column, No 2] for data to be transmitted

14   to the intended recipient [Page 764, "The e-mail version"]

15   It would have been obvious to one of the ordinary skilled in the art at the time the

16   invention was made to modify teachings of the Knock-Knock reference by applying

17   "purchasing" system of the Technical Forum reference to it so that a customer agrees

18   to pay a delivery fee for his/her email. One would be motivated to modify the Knock-

19   Knock reference by applying "purchasing system" of the Technical Forum reference

20   because in doing so because senders can reach recipients (by paying enough money)

21   that they might not ordinarily get to correspond with.

22

1   .   Regarding claim 44, the Knock-Knock reference teaches, wherein the data to be

2   transmitted comprises an electronic mail message [Page 3, second bullet]

3

4   Regarding claim 45, the Knock-Knock reference teaches wherein the electronic

5   frank comprises a data attachment to the electronic mail message [Page 3, second

6   bullet]

7

8   Regarding claim 46, the Knock-Knock reference teaches wherein the electronic

9   frank data structure comprises a digital wrapper certificate (email signature) type data

10   structure [Page 3, second bullet].

11

12   Regarding claim 47, the Technical Forum reference teaches wherein the

13   electronic frank is associated with a predetermined cost-value [Page 764, "The e-mail

14   version" and Page 759, second and last paragraph in right column].

15

16   Regarding claim 48, the Technical Forum reference teaches wherein at least one

17   predetermined criteria to which the electronic frank must conform is for the cost-value of

18   the electronic frank to be the correct value associated with the data to be sent to the

19   recipient [Page 764, last paragraph of first column to second paragraph of second

20   column].

21

1   Regarding claim 49, the Technical Forum reference teaches wherein the cost-

2   value is determined by the intended recipient [Page 764, last paragraph of first column

3   to second paragraph of second column].

4

5   Regarding claim 50, the Knock-Knock reference teaches an electronic frank

6   arranged to be capable of being attached to data arranged for use in an authentication

7   scheme as claimed in claim 43, the data comprising e-mail to be sent by a user of an

8   electronic mail client application to an intended recipient via a telecommunications

9   network, the electronic frank having a data structure which conforms to a predetermined

10   format which enables certain delivery criteria to be applied [Knock-Knock ID] when the

11   electronic frank is processed by apparatus in the network, wherein the delivery criteria

12   determine whether the recipient receives the e- mail [Page 3 of 5, second bullet].

13

14   Regarding claim 51, the Technical Forum reference teaches a system wherein

15   the electronic frank is associated with a cost-value [Page 764, "The e-mail version" and

16   Page 759, second and last paragraph in right column].   The Technical Forum reference

17   further teaches a system wherein the cost value is dependent on a set of at least one

18   predetermined characteristics of the e-mail to which the frank is to be attached

19   [Legislation paragraph of page 760 and 1, 2 and 3 of page 762].

20   Regarding claim 53, the preamble has been given patentable weight, since the

21   claim body refers back to the preamble. See "the terminal" at line "6". Claim 53 is

22   directed to a terminal that associates an electronic frank as in claim 8 with data. Since

1   claim 8 has been cancelled, the examiner will presume that the applicants intend claim

2   53 to reference claim 50, which in turn references claim 43. Since 53 depends on all of

3   the preceding claims, the claim incorporates by reference all of the limitations of those

4   claims. As to those claims, it is noted that the reasons for rejection given above with

5   respect to claims 50 and 43 apply equally to claim 53. As to the specific limitations

6   introduced in dependent claim 53, the examiner notes that the Knock-Knock reference

7   teaches a computer that generates data/email electronically since it teaches the

8   sending of email. The Technical Forum reference therefore teaches means for

9   generating data electronically. The Knock-Knock reference further teaches associating

10   the electronic frank (Knock-Knock ID) in use with data (email) to be transmitted over a

11   telecommunications network to an intended recipient and at a destination address. The

12   Knock-Knock reference therefore teaches means operable to associate an electronic

13   frank as in claim 50 with the data prior to its transmission.   The Technical Forum

14   reference teaches means for displaying to a user of the terminal a visual indication

15   representative of the electronic frank [Page 764, "The email version", second

16   paragraph, .e.g., if a message header or body contains a token]. The Technical Forum

17   further teaches means for transmitting the franked data via a telecommunications

18   network to a destination address [No 2 of Page 762].

19

20   Regarding claim 54, the Technical Forum reference teaches a system wherein

21   the terminal further comprises

1   means operable to authenticate the information conveyed by the electronic frank

2   prior to the franked data being sent by the apparatus and to include this authentication

3   information within the data structure of the electronic frank [Page 764, "The email

4   version", second paragraph].

5

6   Regarding claim 55, the Technical Forum reference teaches a system wherein

7   the terminal [Fig 6] further comprises means operable to authenticate the information

8   conveyed by the electronic frank prior to the franked data being sent by the apparatus

9   and to include this authentication information within the data structure of the electronic

10 frank [Page 764, "The email version", second paragraph].and wherein said at

11 information authenticated includes the address of the sender and/or the identity of the

12 sender [Page 764, "The email version", second paragraph, Note: address of the sender

13 is included in the header] and the franking cost-value of the electronic frank is the

14 appropriate amount for the data being sent [Page 764, left column, last paragraph and

15 Page 759, second and last paragraph in right column].

16

17   Regarding claim 56, the Technical Forum reference teaches a system wherein

18 the means operable to associate an electronic frank with the data Col comprises

19 means to automatically generate the frank and to automatically attach the frank to any

20 data to be transmitted [Page 764, left column, second to the last paragraph to second

21 paragraph of the right paragraph].

22

1   Regarding claim 57, it is directed to an apparatus forming part of a

2   telecommunications network and arranged to forward e-mail to a destination address in

3   accordance with the authentication scheme of claim 43. Since 57 depends on claim 43,

4   the claim incorporates by reference all of the limitations of that claims. It is noted that

5   the reasons for rejection given above with respect to claim 43 apply equally to claim 57.

6   As to the additional features introduced in claim 57, i.e., the data validation means, the

7   Knock-Knock reference teaches data validation means arranged to validate an

8   electronic frank according to an authentication scheme as claimed in claim 43 wherein

9   the electronic frank has been attached to e-mail to be sent to a recipient over a

10   communications network [Page 3 of 5, second bullet].

11

12   Regarding claim 58, it depends on claim 57 and further limits the apparatus to be

13   the outgoing e-mail server of the user. Although the combination of the Knock-Knock

14   reference in view of the Technical Forum does not explicitly teach this limitation, it would

15   have been obvious to one of ordinary skill in the art based on logical reasoning from the

16   teachings of the Technical Forum reference. The Technical Forum reference suggests

17   that message traffic will be reduced if the filtering is done "upstream" from the service

18   provider rather than by the end-user's mail software (p. 765 col. 2 last paragraph). The

19   Technical Forum reference also suggests that an Internet Service Provider implement

20   the system (p. 765 first bullet). A person of ordinary skill in the art, when viewing this

21   suggestion to move processing upstream and to implement it in an ISP's infrastructure

22   would recognize that the token/electronic frank processing would have to be included in

1   ISP devices in order to realize the savings of reducing message traffic. In the context of

2   a mail systems, a person of ordinary skill in the are would realize that the set of possible

3   upstream devices provided by an ISP is finite and is limited to those devices that are

4   capable of understanding email protocols.   A person of ordinary skill in the art at the

5   time the invention was made would have recognized that the sender's email server was

6   one of those devices. The combination of the Knock-Knock reference and the

7   Technical Forum reference therefore teaches the invention as claimed.

8

9   Regarding claim 59, the Technical Forum reference teaches a system wherein

10   the apparatus comprises the incoming e-mail server of the recipient of the e-mail [Page

11   764, "The email version", e.g., mail-server].

12

13   Regarding claim 60, the Technical Forum reference teaches a system wherein

14   the data validation means performs a validation process which authenticates the

15   electronic frank [Page 764, "The email version"].

16

17   Regarding claim 61, the Technical Forum reference teaches a system wherein

18   the apparatus performs a delivery criteria check process by processing an electronic

19   frank according to predetermined delivery criteria [Page 762, right column, line 7-21 of

20   "interrupt tokens:, e.g., ten digit interrupt token.] wherein said predetermined delivery

21   criteria determine if the e-mail is to be delivered to the recipient

22   [page 764, "The e-mail version"].

1

2   Regarding claim 62, the Technical Forum reference teaches a system wherein

3   the apparatus performs a delivery criteria check process by processing an electronic

4   frank according to predetermined delivery criteria, wherein said predetermined delivery

5   criteria [Page 762, right column, line 7-21 of "interrupt tokens:, e.g., ten digit interrupt

6   token. Note: it talks about interrupt token for email on page 764, "The e-mail version"]

7   determine if the e-mail is to be delivered to the recipient [[Page 764, "The e-mail

8   version"] . The Technical Forum reference also teaches a system wherein the delivery

9   criteria is whether an electronic frank is attached having an appropriate cost-value for

10   the data being sent [Page 764, "The e-mail version" and Page 759, second and last

11   paragraph in right column].

12

13   24.   Regarding claim 63, the preamble has been given patentable weight, since the

14   claim body refers back to the preamble. See "the data structure" at line 7. The

15   Technical Forum reference teaches a method of :

16   Generating an electronic frank arranged for use in an authentication

17   scheme as claimed in claim 43; the electronic frank being associated with a

18   unique identifier and comprising a data structure conforming to a predetermined

19   data template [No 2 of page 762,.e.g, Interrupt Tokens, and lines 7-21 of

20   "interrupt tokens" of page 762],

21   the method comprising the steps of:

1   receiving a request for an electronic frank from a requesting entity

2   [last paragraph of page 764];

3   querying the requesting entity for information to determine at least

4   one parameter-value to be contained within the data structure; [Page 762,

5   Interrupt Tokens,.e.g. "who the token was given to", Note: name of the

6   recover of the token is parameter-value]

7   processing the information provided by the requesting entity [Page

8   762, Interrupt Tokens to second paragraph of right column]

9   generating a data structure using the processed information [page

10   762, "interrupt token, Ln 7-21], the data structure containing the at least

11   one parameter-value pair associated with a characteristic of the data to be

12   sent [Page 762, First and second paragraph of Interrupt Tokens]; and

13   issuing the electronic franking data to the requesting entity [Page

14   764, "The email version" to second paragraph of right column].

15

16   Regarding claim 64, it is directed to a method for filtering data that is franked

17   according to the "scheme" of claim 43. Since the combination teaches that franked data

18   is transmitted to the user and unfranked data is not (i.e., it is filtered), the reasons for

19   rejection for claim 43 is readily apparent from the discussion of the preceding claims.

20   Regarding claim 65, Technical Forum teaches a mail server arranged to

21   implement the method of claim 64 [page 764, the e-mail version];

1   Regarding claim 66, it depends on claim 57 and further limits the apparatus to be

2   the outgoing e-mail server of the user. Although the combination of the Knock-Knock

3   reference in view of the Technical Forum does not explicitly teach this limitation, it would

4   have been obvious to one of ordinary skill in the art based on logical reasoning from the

5   teachings of the Technical Forum. The Technical Forum suggests that message traffic

6   will be reduced if the filtering is done "upstream" from the service provider rather than by

7   the end-user's mail software (p. 765 col. 2 last paragraph). The Technical Forum also

8   suggests that an Internet Service Provider implement the system (p. 765 first bullet).   A

9   person of ordinary skill in the art, when viewing this suggestion to move processing

10   upstream and to implement it in an ISP's infrastructure would recognize that the

11   token/electronic frank processing would have to be included in ISP devices in order to

12   realize the savings of reducing message traffic. In the context of a mail systems, a

13   person of ordinary skill in the are would realize that the set of possible upstream devices

14   provided by an ISP is finite and would include a firewall, thus teaching the invention as

15   claimed.

16   Regarding claim 67, it is directed to a signal in a communications network, the

17   signal comprising data associated with an electronic frank implementing an

18   authentication scheme according to claim 43. Given the reasons for rejection for claim

19   43, it is evident as to why claim 67 is rejected for the same reasons.

20

21   Regarding claims 68 , it is directed to a computer-readable medium

22   having stored thereon sequences of instructions for handling messages that,

1   when executed by a one or more computer type devices, causes the device to

2   implement the scheme according to claim 43. Given the reasons for rejection for

3   claim 43, it is evident as to why claim 68 is rejected for the same reasons.

4   Regarding claims 69, it is directed to a computer-readable medium having

5   stored thereon sequences of instructions that, when executed by a one or more

6   computer type devices, causes the device to implement a method in accordance

7   with the method of claim 63. Claim 69 is therefore rejected for the same reasons

8   as corresponding method claim 63

9

10

11   Claim 52 is rejected under 35 U.S.C 103(a) as being unpatentable over the

12 Knock-Knock reference in view of the Technical Forum and further in view of and further

13 in view of Enyart, U.S. Patent App. Pub. 2006/0041505.

14

15   Regarding claim 52, the combination of the Knock-Knock reference in view of the

16 Technical Forum teaches the invention substantially as claimed. See the rejection of

17 claim 50 above. Regarding the additional features introduced in claim 52, the Technical

18 Forum reference teaches wherein the electronic frank is associated with a cost-value

19 [Page 764, left column, last paragraph and Page 759, second and last paragraph in

20 right column] dependent on a set of at least one predetermined characteristics of the e-

21 mail to which the frank is to be attached [Legislation paragraph of page 760 and 1,2 and

22 3 of page 762]

1   The combination of the Knock-Knock reference in view of the Technical Forum

2   reference does not clearly disclose an electronic frank that is issued is computed by an

3   application which is operable to increase the cost value in the event of the e-mail being

4   marked with a marker indicative of the priority of transmission to the intended recipient.

5   However Enyart teaches in which the electronic frank is issued is computed by

6   an application which is operable [1153] to increase the cost value in the event of the e-

7   mail being marked with a marker indicative of the priority [0033, Ln 30-41] .of

8   transmission to the intended recipient[401 of Fig 4].

9   Therefore, it would have been obvious to one of the ordinary skilled in the art at

10   the time the invention was made to modify combination of the Knock-Knock reference iv

11   view of the Technical Forum reference by applying expedited or additional fee system of

12   Enyart to the system of Technical Forum and Knock-knock so that customers are able

13   to get expedited services by paying more. One would be motivated to modify

14   combination of Technical Forum and Knock-knock by applying expedited service

15   system of Enyart because in doing so, a customer who wishes to get expedited

16   services, agrees to pay an additional fee. See Enyart paragraphs 0009 and 0033.

17

18   **Conclusion**
19
20   Any inquiry concerning this communication or earlier communications from the

21   examiner should be directed to Reza Hosseini whose telephone number is (571)270-

22   5939. The examiner can normally be reached on Monday through Friday / 7:30 A.M to

23   5:00 P.M EST.

1   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

2   supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone

3   number for the organization where this application or proceeding is assigned is 571-

4   273-8300.

5   Information regarding the status of an application may be obtained from the

6   Patent Application Information Retrieval (PAIR) system. Status information for

7   published applications may be obtained from either Private PAIR or Public PAIR.

8   Status information for unpublished applications is available through Private PAIR only.

9   For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

10   you have questions on access to the Private PAIR system, contact the Electronic

11   Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

12   USPTO Customer Service Representative or access to the automated information

13   system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

14
         RH   /Andrew Caldwell/
                                                               Supervisory Patent
                                                               Examiner, Art Unit 2442
15   Apr 06, 2009
16